



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,745	02/28/2005	Onn Haran	2823/23	2037
7590 10/29/2008				
Mark Friedman Bill Polkinghorn 9003 Florin Way Upper Marlboro, MD 20772			EXAMINER NGUYEN, PHUONGCHAU BA	
			ART UNIT 2416	PAPER NUMBER
			MAIL DATE 10/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/525,745

Applicant(s)

HARAN ET AL.

Examiner

PHUONGCHAU BA NGUYEN

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 10-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 5-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Election/Restrictions

1. Claims 10-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant's election of claims 1-9 (group 1) in the reply filed on 6-12-8 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Drawings

2. Figures 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections – 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is

determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Kramer (6,546,014).

Regarding claim 1,

Kramer (6,546,014) discloses a method for registration of multiple entities belonging to a specific optical network unit (ONU) of a passive optical network that also includes an optical line terminal (OLT) (see figures 1-8), the method comprising the steps of:

a. checking, by the OLT, if a registration request message (402-fig.4) received from the specific ONU (i.e., onu-1) belongs to a certain grant (i.e., authorized active onu-1 or unknown onu, emphasis added); and

b. based on said checking, deciding, by the OLT, to register an entity (i.e., additional data) associated with the registration request (402-fig.4) as an entity of said specific ONU (i.e., onu-1) selected from the group consisting of a first entity (authorized data) and an additional entity (additional data to onu-1 at

current reading, emphasis added).

Regarding claim 6,

Kramer discloses a method for registration of multiple entities belonging to a specific optical network unit (ONU), of a passive optical network that also includes an optical line terminal (OLT) (see figures 1-9), the method comprising the steps of:

a. checking, by the OLT, of a flags field (404-fig.4), residing inside a registration request message (402-fig.4) received from the specific ONU (onu-1, fig.4); and

b. based on said checking, deciding, by the OLT, to register an entity (additional data to be transmitted at the current reading, i.e., additional of 3100 bytes) associated with the registration request (402-fig.4) as an entity of said specific ONU (onu-1, fig.4) selected from the group consisting of a first entity (authorized data) and an additional entity (additional data to the authorized data).

Regarding claim 7, Kramer further discloses wherein said step of checking includes checking if the flags field (404-fig.4) marks an additional registration (additional data 3100 bytes to authorized data 1200bytes, see col.8, line 19).

Regarding claim 8, Kramer further discloses wherein said mark of an additional registration (404-fig.4) includes a newly defined reserved value (i.e., 4300bytes), and wherein said step of deciding includes concluding that said entity is said additional entity of said specific ONU (onu-1, see col.8, lines 19).

Claim Rejections – 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer as applied to claim 1 above, and further in view of Sutherland (US 2003/0177216A1).

Regarding claim 2, Kramer does not explicitly disclose wherein said certain grant is selected from the group consisting of a discovery grant and a normal grant. However, in the same field of endeavor, Sutherland discloses ONU storing a registry bit that indicates whether or not OLT has discovered the ONU, see 0047-0050. Therefore, it would have been obvious to an artisan to apply Sutherland's teaching to Kramer's system with the motivation being to prevent the registered ONU from responding to future ID request messages from OLT in discovery loop.

Regarding claim 3, Kramer further discloses wherein said step of deciding includes deciding to register said entity (3100 bytes, col.8, line 19) as said additional entity if said grant is a normal grant (from the authorized onu-1, see

fig.4).

Regarding claim 4, Kramer does not explicitly disclose wherein said step of deciding includes deciding to register said entity as said first entity if said grant is a discovery grant. However, in the same field of endeavor, Sutherland discloses ONU storing a registry bit that indicates whether or not OLT has discovered the ONU, see 0047-0050. Therefore, it would have been obvious to an artisan to apply Sutherland's teaching to Kramer's system with the motivation being to fasten the registration process from new ONUs (i.e., ONU-2 with registry bit set to cleared as not discovered by OLT yet) to OLT in discovery loop.

Allowable Subject Matter

7. Claims 5 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUONGCHAU BA NGUYEN whose telephone number is (571)272-3148. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUONGCHAU BA NGUYEN/
Examiner, Art Unit 2416